

**FILED**

JUL 19 2012

PATRICK E. DUFFY, CLERK  
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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BUTTE DIVISION

UNITED STATES OF AMERICA,	)	Cause No. MCV 12-2-BU-DWM
	)	
Plaintiff,	)	
	)	
vs.	)	ORDER
	)	
MAURICE RONALD ARCHER,	)	
	)	
Defendant.	)	
_____	)	

On July 16, 2012, Defendant/Movant Maurice Ronald Archer ("Archer") submitted a "composition" he claims is intended to report a felony, lest he be accused of misprision of a felony under 18 U.S.C. § 4. The allegations of the "composition" concern a Gallatin County conviction Archer unsuccessfully attempted to challenge in another Division of this Court, before another judge, three years ago. Archer claims the course of the state prosecution, which took place in 2007, violated his civil rights and so constitutes a felony under 18 U.S.C. §§ 241 and 242.

Misprision, however, requires a showing that the prospective defendant – here,

**SCANNED**

that would be Archer – did something to conceal the commission of a felony. *United States v. Ciambrone*, 750 F.2d 1416, 1417 (9th Cir. 1984). Assuming, solely for the sake of argument, that state officials committed a federal crime by prosecuting him, Archer aired his opinions of their malfeasance in a 196-page petition for writ of habeas corpus. Pet. & Attachments (doc. 1) at 1-196, *Archer v. Law*, No. CV 09-73-BU-SEH-RKS (D. Mont. filed Oct. 2, 2009). No one could accuse him of concealing his belief that his state prosecution was unlawful.

The “composition” is frivolous and an abuse of the judicial system. No action will be taken.

Accordingly, IT IS HEREBY ORDERED that the Clerk of Court shall close this miscellaneous civil case. No further submissions will be entertained under this cause number.

DATED this 19<sup>th</sup> day of July, 2012.



Donald W. Molloy  
United States District Court